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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

MAHSHID KIANFARD,

Plaintiff,

v.

ALBERTO R. GONZALES, Attorney General  
 of the United States in his Official Capacity;  
 ROBERT S. MUELLER, Director of FBI in his  
 Official Capacity;  
 MICHAEL CHERTOFF, Secretary of the  
 Department of Homeland Security, in his Official  
 Capacity;  
 EMILIO T. GONZALEZ, Director of the United  
 States Citizenship and Immigration Services, in  
 his Official Capacity;  
 ROSEMARY MELVILLE, District Director of  
 the San Francisco Citizenship and Immigration  
 Services, in her Official Capacity,

Defendants.

No. C 07-2904 WDB

**PARTIES' JOINT REQUEST TO BE  
 EXEMPT FROM FORMAL ADR  
 PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

1 Here, the parties agree that referral to a formal ADR process will not be beneficial because this  
2 mandamus action is limited to plaintiff's request that this Court compel defendants to adjudicate  
3 the application for adjustment of status. Given the substance of the action and the lack of any  
4 potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax  
5 court resources.

6 Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the  
7 ADR Multi-Option Program and that they be excused from participating in the ADR phone  
8 conference and any further formal ADR process.

9 Dated: August 21, 2007

Respectfully submitted,

10 SCOTT N. SCHOOLS  
11 United States Attorney

12 /s/  
13 ILA C. DEISS  
14 Assistant United States Attorney  
15 Attorney for Defendants

16 Dated: August 20, 2007

17 /s/  
18 THEODORE C. CHEN  
19 Attorney for Plaintiff

20 **ORDER**

21 Pursuant to stipulation, IT IS SO ORDERED.

22  
23 Date:

24 WAYNE D. BRAZIL  
25 United States Magistrate Judge  
26  
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